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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/889,558

07/27/2001

Charles Leroux

7670

22850

7590

11/29/2002

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EXAMINER

SCHILLINGER, LAURA M

ART UNIT

PAPER NUMBER

2813

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/889,558		LEROUX, CHARLES	
	<b>Examiner</b>		<b>Art Unit</b>	
	Laura M Schillinger		2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 May 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 18 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                   | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <u>10&amp;11</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                        |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other:   |

## **DETAILED ACTION**

### ***Election/Restrictions***

Claims 18-19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Groups, there being no allowable generic or linking claim.

Applicant timely traversed the restriction (election) requirement in Paper No. 8. Applicant's arguments are deemed to be unpersuasive as pertaining to a materially distinct invention, the distinctive processing properties of in situ versus ion implantation processing support the Examiner's position. Nonelected claims are thereby withdrawn.

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: claim 1 is objected to for having an improper preamble, the claim does not have any transitional term such as "including", "comprising" etc... the Examiner cannot determine what applicant considers to be his preamble and what constitutes the claim limitations, further the examiner cannot interpret whether applicant's limitations are open-ended or closed. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Bolan et al ('371).

In reference to claim 11, Bolan teaches a device comprising:

A device made in a semiconducting layer of a substrate (Col.23, lines: 10-20 see also Fig.16I);

The layer covering an insulating layer (Fig.16I (compare 32 to 52));

The device being connected to a contact pin to protect the component to divert an electrostatic discharge, the device comprising at least one Zener diode connected to the contact pin to be directly polarized (Col.33, lines:35-65 see also Fig.19 (1914 and 1910)).

In reference to claim 12, Bolan teaches further comprising plural Zener diodes mounted in series and connected to the contact pin to be directly polarized (Fig.19 (1914 and 1910)).

In reference to claim 13, Bolan teaches further comprising at least one Zener diode (Col.23, lines: 10-20) comprises 2 regions strongly doped with opposite conductivity types (42 and 38))and separated by a region doped to an average level (50) (Fig.16 I)

In reference to claim 14, Bolan teaches wherein the semiconductor layer of the substrate is Si, and the strongly doped is 10(20) and average doped 10(18) (Col.23, lines: 1-10 and 40-50).

In reference to claim 15, Bolan teaches wherein the substrate is SOI (Col.23, lines: 15-25).

In reference to claim 16, Bolan teaches wherein the diodes are adjacently in series, and connected through metallization (Fig.19 (1914 and 1910) (wiring is inherent).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bolan et al ('371) as applied to claims above, and further in view of Kuroda et al ('146).

In reference to claim 17, Bolan fails to explicitly teach wherein the series connection is accomplished through silicide. However silicide is a well known wiring material and consequently it would have been obvious to one of ordinary skill in the art to serially connect the two zener diodes through implementing silicide. Kuroda et al ('146) teaches to use a silicide in such a manner.

### ***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M Schillinger whose telephone number is (703) 308-6425.

The examiner can normally be reached on M-F 7:00 -4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (703) 306-2794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1500.

LMS  
August 6, 2002

*C. Chaudhari*  
Chandra Chaudhari  
Primary Examiner